

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America
v.

FRANK SHANNON ALLEN

Defendant(s)

Case No. 3:22-mj-225

FILED
RICHARD W. NAGEL
CLERK OF COURT

7/13/22

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 12, 2022 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. §§ 922(g)(1) & 924(a)(2)

Felon in possession of a firearm

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.*Complainant's signature*

SA KENNY D. HOWARD, FBI

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone *(specify reliable electronic means).*Date: July 13, 2022City and state: DAYTON, OHIO
Caroline H. Gentry
United States Magistrate Judge

JUDGE



AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

Your Affiant, Kenny D. Howard, after being duly cautioned and sworn, makes the following statement:

1. I have been employed as a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”) since May 2018. I am presently assigned to the Dayton Resident Agency of the Cincinnati Field Division. As such, I am charged with investigating various crimes committed against the United States of America, including but not limited to violations of Title 18 and Title 21 of the United States Code (U.S.C.). I have received training in money laundering and drug trafficking. I am aware of federal firearm laws and know that possessing a firearm by a convicted felon is a violation of Title 18 U.S.C. § 922(g)(1) and § 924(a)(2). Prior to joining the FBI, I was employed for seven years as a Fraud Investigator with the State of Ohio Auditor’s Office.

PURPOSE OF AFFIDAVIT

2. This Affidavit is submitted in support of a criminal complaint made against a **FRANK SHANNON ALLEN** (hereinafter referred to as “**ALLEN**”) for being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2). The information contained in this Affidavit is largely based upon facts gleaned from information gathered by your Affiant and other information provided to him by other law enforcement officers familiar with this investigation. I have not included in this Affidavit all the facts known to the subject investigation, but only that information deemed sufficient to establish probable cause to believe that, on or about July 12, 2022, in the Southern District of Ohio, **ALLEN** committed a violation of U.S.C. § 922(g)(1) and § 924(a)(2) – namely, being a felon in possession of a firearm.

SUMMARY OF PROBABLE CAUSE

3. At approximately 6:05 AM on July 12, 2022, FBI Agents and Members of the Greene County ACE Task Force (ACE) were in the process of executing a federal search warrant previously authorized by U.S. Magistrate Judge Caroline H. Gentry (in Case No. 3:22mj219), at **ALLEN’s** 1866 Spindletop Lane, Centerville, Ohio 45458 residence. The basis of said federal search warrant was to search for and seize evidence associated with certain suspected violations of federal law to include: Theft of U.S. Government Money and Property in violation of 18 U.S.C. § 641; Fraud in Connection with Major Disaster or Emergency Benefits in violation of 18 U.S.C. § 1040; Bank Fraud in violation of 18 U.S.C. § 1344; Wire Fraud, in violation of 18 U.S.C. § 1343; Conspiracy, in violation of 18 U.S.C. §§ 371 and 1349; Money Laundering in violation of 18 U.S.C. § 1956; Conspiracy to Commit Money Laundering in violation of 18 U.S.C. § 1956(h); and Making False Statements in Loan and Credit Applications, in violation of 18 U.S.C. § 1014.
4. During the execution of said federal search warrant, **ALLEN**, along with his wife and two children, were found inside said residence. Upon being detained by law enforcement officials, **ALLEN** advised that a firearm was present in his residence.

5. As such, Beavercreek Police Detective Sean Williams (who is also a Member of the ACE Task Force) immediately sought and obtained a state search warrant from Montgomery County Common Pleas Court Judge Mary K. Huffman which authorized a search and seizure of firearms that may be found in the 1866 Spindletop Lane residence and **ALLEN's** Chevrolet Silverado motor vehicle which was observed to be parked on the street directly in front of the 1866 Spindletop Lane residence. Prior to entering said motor vehicle, law enforcement officials observed in plain view **ALLEN's** Ohio driver license in the center console of the Chevrolet Silverado.
6. Upon executing said state search warrant, a Smith and Wesson .22 caliber rifle, serial number DFR0856 and ammunition were located inside the residence, along with boxes of handguns. Inside the unlocked Chevrolet Silverado, law enforcement officers, found a loaded Ruger 5.7x28 caliber handgun, bearing serial number 641-23034, inside the glove box compartment on the passenger side.
7. Your Affiant has reviewed **ALLEN's** criminal history report. This review revealed that he had previously been convicted of the following prior felony convictions:

On or about May 1, 2001, in Clark County, Ohio Court of Common Pleas, Case No. 99CR0330, possession of drugs (F-1) and felonious assault (F-1), both crimes both punishable by a term of imprisonment exceeding one year.
8. Your Affiant has consulted with Bureau of Alcohol, Tobacco, Firearms and Explosives SA Christopher Reed regarding the origin of both said firearms. He has advised that both firearms were manufactured outside the State of Ohio, thereby establishing an interstate nexus.
9. Based on the facts set forth in the Affidavit, the undersigned respectfully believes that probable cause exists to believe that, on or about July 12, 2022, in the Southern District of Ohio, **ALLEN** committed a violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2) – namely, being a felon in possession of a firearm. As such I respectfully request the issuance of an arrest warrant against **FRANK SHANNON ALLEN**.


KENNY D. HOWARD
FBI Special Agent

Sworn to before me this 13th day of July, 2022.


Caroline H. Gentry
United States Magistrate Judge

